

REMARKS

This application is amended in a manner believed to place it in condition for allowance at the time of the next Official Action.

Claims 42-43, 46, 48-51, 53, 54 and 57-62 are amended. Support for the amendments to the claims may be found generally throughout the specification, particularly on page 7, lines 13-27 and page 20, line 19 to page 21, line 20 and the figures.

Claims 83-89 are new. Support for the new claims may be found on page 7, lines 13-27 and page 20, line 19 to page 21, line 20.

Claims 42-62 and 83-89 remain pending in the application.

The Official Action rejected claim 46 under 35 USC §112, second paragraph, as being indefinite. Specifically, claim 46 was rejected for reciting "of this type".

Claim 46 is amended, and no longer recites "of this type". Thus, claim 46 is now definite, and applicant respectfully requests that the rejection be withdrawn.

Claims 42-62 were rejected under 35 USC §103(a) as being unpatentable over KLEMM U.S. Patent No. 4,191,743 (KLEMM) in view of VOELKER U.S. Patent No. 3,179,317 (VOELKER). Applicant respectfully disagrees.

The present invention is directed to a method for making an article comprising at least one piece of a sheet-form

melamine foam having a thickness which is sufficiently small to exhibit flexibility and no flexural elasticity. The method comprises the step of tangentially cutting an exterior surface of a melamine foam block with a blade having a cutting edge aligned tangentially to the exterior surface so as to peel a strip of foam from the block. The strip has a thickness which is sufficiently small to exhibit flexibility and no flexural elasticity. The article is made using at least one piece of sheet-form derived from this strip.

Before the invention, regarding the great fragility and the brittle nature of melamine foams, for one of ordinary skill in the art, there was no method for cutting a block of melamine foam in continuous thin strips or sheets, with a thickness sufficiently small to exhibit flexibility and no flexural elasticity.

The invention succeeded to propose an industrial method for manufacturing melamine foams:

- in the form of a sheet, i.e. a piece of foam the thickness of which is particularly small in comparison with its length and width,
- and, with a thickness sufficiently small so that the sheet exhibits flexibility and no flexural elasticity.

According to the invention, the sheets of melamine foam are manufactured by peeling. As known in the art and as illustrated by the disclosure and by the drawings, peeling is a

method employed in the timber industry (e.g. Figure 5 and specification page 7, lines 13-27).

Before the present invention, peeling was not known for manufacturing melamine foams into continuous thin strips.

KLEMM discloses a multilayer structure (i.e. layers (a)-(d)) of an antibacterial wound dressing. Among these layers, layer (c) has a thickness of 0.5 to 10 mm, preferably between 0.5 and 7 mm, and can be made with:

- an open celled material, for example, a neutral, physiologically compatible, foamable synthetic resin, preferably a cross-linked polyurethane sponge or foam, and also a foamed synthetic resin based on urea-formaldehyde or melamine-formaldehyde or a mixture thereof, or

- a high molecular weight natural material such as collagen.

Additionally, the disclosed wound dressing also comprises a layer (d) made of an open-celled foam. The open-celled foam can be any one of the materials described for layer (c).

As to the selection of melamine foam, KLEMM only suggests melamine foam as one among other materials, to form layer (c). However, KLEMM does not disclose a layer (c) effectively made of melamine foam.

Additionally, as acknowledged in the Official Action, KLEMM does not teach how to obtain a piece of melamine foam with

a thickness of 0.5 to 10 mm, especially of the order of 1 mm or less than 1 mm.

VOELKER is offered for the teaching of a method for peeling a plastic foam. However, VOELKER fails to remedy the deficiencies of KLEMM for several reasons.

VOELKER does not disclose tangentially cutting into the exterior surface of the foam with a blade having a cutting edge aligned tangentially to the exterior surface so as to peel a strip of foam having a thickness that is sufficiently small to exhibit flexibility and no flexural elasticity (e.g., as recited in claim 42).

Instead, VOELKER discloses a method for splitting a thick plastic foam strip into two thinner strips in a continuous, high speed manner. The thick strip is contacted by a knife-edge aligned perpendicularly to the exterior surface to provide a cutting action along a plane substantially parallel to the planed faces of said strip of plastic foam material, and withdrawing two strips of lesser thickness. Additionally, during the cutting, a tension force is applied to each of said two strips whereby a tearing action is produced. Said tearing action functions in cooperation with said cutting action to split the strip of plastic foam material.

VOELKER also fails to disclose the range of thickness of the strips of polyurethane foam produced by the splitting method.

Furthermore, VOELKER fails to disclose that the splitting method is suitable for melamine foams. VOELKER is specifically directed to the manufacturing of polyurethane foams. One of ordinary skill in the art would recognize that polyurethane foams are not brittle and can be subjected to the tearing action by VOELKER, but melamine foams are known to have great fragility and a brittle nature.

Thus, VOELKER fails to disclose or suggest a peeling method for melamine foam and cannot remedy the deficiencies of KLEMM for reference purposes.

At best, the proposed combination of KLEMM and VOELKER teaches a method of making a wound dressing including polyurethane foam in thin strips formed by splitting thick strips of polyurethane foam, but it is not clear if the method of VOELKER would be able to produce a strip with a thickness required by KLEMM.

Therefore, in view of the above, the proposed combination cannot render obvious independent claim 42 and dependent claims 43-62 and 83-89, applicant respectfully requests that the rejection be withdrawn.

Applicant believes that the present application is in condition for allowance at the time of the next Official Action. Allowance and passage to issue on that basis is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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